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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/761,053

01/20/2004

Noel S. Omega

1776-0032

1171

7590 01/12/2007  
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Chase Tower  
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EXAMINER

KINDRED, ALFORD W

ART UNIT

PAPER NUMBER

2163

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

01/12/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/761,053

Applicant(s)

OMEGA ET AL.

Examiner

Alford W. Kindred

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2163

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 October 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1 and 3-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)                        | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This action is responsive to communication: Amendment, filed on 10/16/06.

This action is made final.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1 and 3-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baader et al., US# 20060129538, in view of Harris, US# 20030105769.

As per claims 1, Baader et al. teaches "forming at least one cluster of electronic documents based upon a user's selection of a subject identifying each author of the documents in said cluster and accumulating a number of times each identified author is an author of a document in the cluster of electronic documents corresponding to said subject" (see paragraph [0027] and [0073]). Baader et al. does not explicitly teach "ranking each identified author according to the number accumulated and presenting the rankings for the identified authors in an index form." Harris teaches "ranking each identified author according to the number accumulated and presenting the rankings for the identified authors in an index form (see paragraph [0049], [0059], 0110)). It would have been obvious at the time of the invention for one of ordinary skill in the art the tools to rank authors of documents and present those rankings in a user-friendly fashion.

This gives users the advantage of sorting documents based on authors more efficiently.

As per claim 3, Baader et al. teaches "searching documents hyperlinked to the cluster of electronic documents; and modifying the number of times accumulated an author with a number of citations for the identified author in the hyperlinked document pertaining to said subject" (see paragraph [0043] and [0057]).

As per claim 4, Baader et al. teaches "searching documents hyperlinked to the cluster of electronic documents; and modifying the number of times accumulated for an identified author by a number of times the identified author is an author of a hyperlinked document pertaining to said subject" (see paragraph [0014], [0043] and [0076], whereas Baader's teachings of URLs and as well as hypertext documents in relations with author rankings, reads on applicant's claim language.

As per claims 5-6 and 9, Baader et al. teaches "wherein said cluster of electronic documents is formed from documents stored at a specified World Wide Web domain" (see paragraph [0014]).

As per claims 7-8, Baader et al. teaches "wherein said cluster of electronic documents is formed from documents managed by an identified server" (see paragraph [0014] and [0013]).

As per claim 10, Baader et al. teaches "in response to user input, establishing a frequency of citation threshold; and excluding an author from the index when the author is cited fewer than said frequency of citation threshold" (see paragraph [0046] and [0073]).

As per claims 11-13, Baader et al. teaches "excluding from said accumulated

number of times for an identified author documents that are redundant in a content but stored in a format different than the format of a document previously counted" (see paragraph [0046]).

As per claim 14, Baader et al., teaches "forming a second index for each identified author, the index containing a number of times a document corresponding to the selected subject and having the same author . . ." (see paragraph [0026]-[0027] and [0073]).

As per claims 15-24, these claims are rejected on grounds corresponding to the arguments given above for rejected claims 1-14 and are similarly rejected including the following:

--Baader et al. teaches "an author ranker for ranking each identified author . . ." (see paragraph [0027] and 0046)).

### ***Response to Arguments***

4. Applicant's arguments with respect to claims 1 and 3-24 have been considered but are moot in view of the new ground(s) of rejection.

As per applicant's arguments regarding "the quantity of publications . . . the Baader reference is a quantity counted with reference to a cluster of search results . . .", examiner disagrees and maintains that the Baader reference combined with Harris reads on applicant claim language. Although Baader teaches a quantity stored in a database, Baader as a whole include the functions of a database which involve a

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search and retrieval element and therefore allows for the quantity counted to be represented a cluster of search results as illustrated in applicant's claim language.

***Conclusion***

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

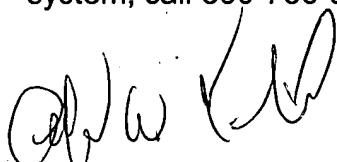
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alford W. Kindred whose telephone number is 571-272-4037. The examiner can normally be reached on Mon-Fri 9:00 am- 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on (571) 272-1834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Alford W. Kindred  
Patent Examiner  
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